

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Tomeka Randolph, individually and on behalf of all
others similarly situated;

Plaintiff,

v.

Congress Collection, LLC and
John Does 1-25

Defendant.

Civil Action No: 2:20-cv-12146-
MAG-RSW _____
Hon. Judge Mark A. Goldsmith
Magistrate Judge R. Steven
Whalen

PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION TO REPLY TO
DEFENDANT'S MOTION TO DISMISS

Certification of Concurrence Efforts under E.D. Mich. LR 7.1(a)

The undersigned counsel certifies that counsel communicated in writing with opposing counsel, explaining the nature of the relief to be sought by way of this motion and seeking concurrence in the relief; opposing counsel thereafter expressly concurred.

Plaintiff, Tomeka Randolph, by and through her undersigned counsel, hereby respectfully move this for a thirty-day extension of time, through and including November 25, 2020 to respond to the Defendant's Motion to Dismiss.

As grounds for this Unopposed Motion, Plaintiff respectfully state as follows and relies upon the rules, law, and argument set forth in the accompanying Brief in Support:

1. On October 5, 2020 Defendants filed their Motion to Dismiss (ECF NO. 9).
2. Plaintiff's response to the Motion to Dismiss is due October 26, 2020.

3. Due to the complicated issues surrounding this case and the fact that Plaintiff's counsel is in need of more time to research these issues, especially due to several staff members out of the office due to quarantine or illness from COVID-19 Plaintiff requests an extension of thirty (30) days in which to file its response, up to and including November 25, 2020.
4. This request for additional time is not intended for delay, and in fact no discovery or other proceedings in the case have yet been undertaken. Moreover, no party will be prejudiced by the requested extension. To the contrary, counsel for Plaintiff has consulted with counsel for Defendant regarding the requested extension and has been informed that Defendant does not oppose the extension requested herein.
5. As such, there is good cause for Plaintiff's requested extension.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully request that this Court enter an Order granting them an additional thirty days, up to and including November 25, 2020, to file a response to Defendant's Motion to Dismiss.

Respectfully submitted this the 23rd day of October, 2020.

/s/Yaakov Saks
STEIN SAKS, PLLC
285 Passaic Street
Hackensack, NJ 07601
Telephone: (201) 282-6500
Facsimile: (201) 282-6501
Ysaks@steinsakslegal.com

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2020, I electronically filed this extension to respond to Defendant's Motion to Dismiss with the Clerk of the Court using the CM/ECF system and served all parties of record thereof:

By: /s/ Yaakov Saks

Yaakov Saks, Esq

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Tomeka Randolph, individually and on behalf of all
others similarly situated;

Plaintiff,

v.

Congress Collection, LLC and
John Does 1-25

Defendant.

Civil Action No: 2:20-cv-12146-
MAG-RSW_____
Hon. Judge Mark A. Goldsmith
Magistrate Judge R. Steven
Whalen

PLAINTIFF'S BRIEF IN SUPPORT OF ITS MOTION TO EXTEND TIME TO
RESPOND TO DEFENDANT'S MOTION TO DISMISS

CONTROLLING AND MOST APPROPRIATE AUTHORITY

Fed. R. Civ. P. 6(b)(1)(A)

QUESTION PRESENTED

1. Should the Court grant Plaintiff's unopposed motion for an extension of time to respond to Defendant's Motion to Dismiss?

Plaintiff answers "yes."

The Court should answer "yes."

ARGUMENT

1. On October 5, 2020 Defendants filed their Motion to Dismiss (ECF NO. 9).
2. Plaintiff's response to the Motion to Dismiss is due October 26, 2020.
3. Due to the complicated issues surrounding this case and the fact that Plaintiff's counsel is in need of more time to research these issues, especially due to several staff members out of the office due to quarantine or illness from COVID-19 Plaintiff requests an extension of thirty (30) days in which to file its response, up to and including November 25, 2020.
4. This request for additional time is not intended for delay, and in fact no discovery or other proceedings in the case have yet been undertaken. Moreover, no party will be prejudiced by the requested extension. To the contrary, counsel for Plaintiff has consulted with counsel for Defendant regarding the requested extension and has been informed that Defendant does not oppose the extension requested herein.
5. As such, there is good cause for Plaintiff's requested extension.
6. The Court may extend a response date either on its own or upon a request made before the time to act has expired. *See* Fed. R. Civ. P. 6(b)(1)(A). Accordingly, this Motion is timely and unopposed and therefore should be granted.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully request that this Court enter an Order granting them an additional thirty days, up to and including November 25, 2020, to file a response to Defendant's Motion to Dismiss.

Respectfully submitted this the 23rd day of October, 2020.

/s/Yaakov Saks
STEIN SAKS, PLLC
285 Passaic Street
Hackensack, NJ 07601
Telephone: (201) 282-6500
Facsimile: (201) 282-6501
Ysaks@steinsakslegal.com

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2020, I electronically filed this extension to respond to Defendant's Motion to Dismiss with the Clerk of the Court using the CM/ECF system and served all parties of record thereof:

By: /s/ Yaakov Saks
Yaakov Saks, Esq